

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Criminal No. 2:21 cr 0085
)	
v.)	
)	
Donald Vargo,)	
)	
Defendant.)	

**POSITION WITH RESPECT TO SENTENCING FACTORS
(OBJECTIONS, CLARIFICATIONS AND CORRECTIONS TO
PRE-SENTENCE INVESTIGATION REPORT)**

COMES NOW Donald Vargo, the Defendant, by and through counsel, Christopher M. Capozzi, pursuant to Local Rule 32(C)(4) and this Court's Sentencing Order and states as follows and for his Position With Respect to Sentencing Factors (Objections and Corrections to Pre-Sentence Investigation Report):

A. The Defendant's Objections and Corrections to Pre-Sentence Investigation Report.

Mr. Vargo and his counsel reviewed the Pre-Sentence Investigation Report ("PSIR") prepared by United States Probation Officer Christina Ferri (Docket No. 21). Mr. Vargo has no objections or corrections to the PSIR but notes that on June 28, 2021, his counsel forwarded a copy a Certificate of Completion (dated April 8, 2021) noting Mr. Vargo had completed the Oil Region Inpatient Recovery Program.

B. *The Defendant's Request for a Sentencing Guideline Based Departure From Criminal History Category or Offense Level.*

The Defendant is not requesting at this time a departure from the applicable advisory sentencing guideline range on grounds established in Chapters 4 or 5 of the Sentencing Guidelines promulgated by the United States Sentencing Commission.

C. *The Defendant's Position With Respect to the Sentencing Factors Described in 18 U.S.C. § 3553 (Imposition of Sentence).*

The Defendant will submit a position relating to the sentencing factors described in 18 U.S.C. § 3553 (Imposition of Sentence) in advance of sentencing hearing.

Respectfully submitted,

/s/ Chris Capozzi

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CERTIFICATE OF SERVICE

I, Christopher M. Capozzi, hereby certify that on July 4, 2021, a copy of the foregoing was filed electronically with the Clerk of Courts for the United States District Court for the Western District of Pennsylvania.

/s/ Chris Capozzi

Christopher M. Capozzi (ID # 77162)